

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

OFFICIAL LOCAL FORM 3A  
POST-CONFIRMATION AMENDED CHAPTER 13 PLAN

DATED: July 26, 2017

POST-CONFIRMATION AMENDED CHAPTER 13 PLAN  
(Insert First, Second etc.)

Docket No.: 17-40208

DEBTORS: (H) Michael Conwell SS#: xxx-xx-7141  
(W) Carol Casey-Conwell SS#: xxx-xx-6846

I. AMENDED PLAN PAYMENT AND TERM:

TERM OF THE PLAN: 60 Months (Total length of Plan - not no. of months remaining.) If the plan is longer than thirty-six (36) months, a statement of cause under 11 U.S.C. §1322(d) must be attached hereto.

AMENDED PLAN PAYMENT: Debtor(s) to pay monthly: \$ 1,254.00

EFFECTIVE: 8/1/2017 (Insert new payment beginning date.)

The claims listed below must include amounts previously disbursed by the Trustee on all claims which have subsequently been withdrawn or disallowed.

II. SECURED CLAIMS

A. Claims to be paid through the plan (including arrears):

Creditor	Description of Claim (pre-petition arrears, purchase money, etc.)	Amount of Claim
<u>MMCA/C1</u>	<u>Pre-petition arrears</u>	\$ <u>382.87</u>
<u>Ditech Financial LLC</u>	<u>Pre-petition arrears</u>	\$ <u>55,190.25</u>

Total of secured claims to be paid through the Plan: \$ 55,573.12

B. Claims to be paid directly by debtor to creditors (Not through Plan):

Creditor	Description of Claim
<u>Ditech Financial LLC</u>	
<u>MMCA/C1</u>	<u>Automobile</u>

C. Modification of Secured Claims:

Creditor	Details of Modification (Additional Details May Be Attached)	Amt. of Claim to Be Paid Through Plan
<u>-NONE-</u>		

D. Leases:

- i. The Debtor(s) intend(s) to reject the residential/personal property lease claims of  
-NONE-

; or

ii. The Debtor(s) intend(s) to assume the residential/personal property lease claims of -NONE-

iii. The arrears under the lease to be paid under the plan are 0.00.

### III. PRIORITY CLAIMS

#### A. Domestic Support Obligations:

Creditor	Description of Claim	Amount of Claim
<u>-NONE-</u>		\$ <u>                    </u>

#### B. Other:

Creditor	Description of Claim	Amount of Claim
<u>IRS</u>		\$ <u>0.00</u>
<u>Mass. Department of Revenue</u>		\$ <u>125.00</u>
Total of Priority Claims to Be Paid Through the Plan: \$		<u>125.00</u>

### IV. ADMINISTRATIVE CLAIMS

A. Attorneys Fees (to be paid through the plan): \$ 5,000.00

#### B. Miscellaneous Fees:

Creditor	Description of Claim	Amount of Claim
<u>-NONE-</u>		\$ <u>                    </u>

C. The Chapter 13 Trustee's fee is determined by Order of the United States Attorney General. The calculation of the Plan payment set forth utilizes a 10% Trustee's commission.

### V. UNSECURED CLAIMS

The general unsecured creditors shall receive a dividend of 100 % of their claims.

A. General unsecured claims: \$ 7,469.19

B. Undersecured claims arising after lien avoidance/cramdown:

Creditor	Description of Claim	Amount of Claim
<u>-NONE-</u>		\$ <u>                    </u>

C. Non-Dischargeable Unsecured Claims:

Creditor	Description of claim	Amount of Claim
<u>-NONE-</u>		\$ <u>                    </u>

Total of Unsecured Claims (A + B + C): \$ 7,469.19

D. Multiply total by percentage: \$ 7,469.19  
 (Example: Total of \$38,500.00 x .22 dividend = \$8,470.00)

E. Separately classified unsecured claims (co-borrower, etc.):

Creditor	Description of claim	Amount of claim
<b>-NONE-</b>		\$
Total amount of separately classified claims payable at ____%		\$ <b>0.00</b>

VI. OTHER PROVISIONS:

A. Liquidation of assets to be used to fund plan:

B. Miscellaneous provisions:

**No fees beyond allowed by the local rules shall be paid until a fee application has been filed and allowed by this court.**

C. Set forth below, all changes from the previously Confirmed Plan:

Secured: \_\_\_\_\_

Priority: \_\_\_\_\_

Unsecured: \_\_\_\_\_

Term: \_\_\_\_\_

Plan Payment: \_\_\_\_\_

VII. CALCULATION OF AMENDED PLAN PAYMENT

a) Secured claims (Section II-A&D Total):	\$ <b>55,573.12</b>
b) Priority claims (Section III-A&B Total):	\$ <b>125.00</b>
c) Administrative claims (Section IV-A&B Total):	\$ <b>5,000.00</b>
d) Regular unsecured claims (Section V-D Total): +	\$ <b>7,469.19</b>
e) Separately classified unsecured claims:	\$ <b>0.00</b>
f) Total of a + b + c + d + e above:	<b>\$ 68,167.31</b>
g) Divide (f) by .90 for total including Trustee's fee:	
Cost of Plan=	\$ <b>75,741.47</b>
(This represents the total amount to be paid into the Chapter 13 Plan)	
h) Subtract the total amount of payment the Debtor has paid to the Trustee to date:	\$ <b>\$4,280</b>
i) Total amount left to be paid (g minus h)	\$ <b>70,461.47</b>
j) Divide (i) by # of months remaining:	<b>57</b>
k) Round up to nearest dollar: Amended Monthly Plan Payment:	\$ <b>1,254.00</b>

Date Amended Payment to begin: 8/1/2017

# VIII. LIQUIDATION ANALYSIS

☒ The Debtor avers that there have been no material changes to the total amount set forth in the Summary of the Liquidation Analysis of the Debtor's previously Confirmed Plan.

## A. Real Estate:

List Each Address	Fair Market Value	Total Amount of Recorded Liens (Schedule D)
<b>2155 Turnpike Street North Andover, MA 01845 Essex County</b>	\$ <b>457,344.00</b>	\$ <b>319,043.00</b>

Total Net Equity for Real Property:	\$ <b>138,301.00</b>
Less Exemptions (Schedule C):	\$ <b>138,301.00</b>
Available Chapter 7:	\$ <b>0.00</b>

## B. Automobile (Describe year, make and model):

**-NONE-** Value \$ \_\_\_\_\_ Lien \$ \_\_\_\_\_ Exemption \$ \_\_\_\_\_

Total Net Equity:	\$ <b>0.00</b>
Less Total Exemptions (Schedule C):	\$ <b>0.00</b>
Available Chapter 7:	\$ <b>0.00</b>

## C. All other Assets (All remaining items on Schedule B): (Itemize as necessary)

2014 Mitsubishi  
 2003 Jeep Wrangler  
 Miscellaneous household furniture, etc.  
 Electronics  
 Four sets of golf clubs  
 Miscellaneous clothing  
 Miscellaneous  
 14 year old dog.  
 Cash  
 TD Bank checking account  
 Metro Savings  
 Peabody Gas & Electric  
 401(k)  
 401(k)

Total Net Value:	\$ <b>30,510.00</b>
Less Total Exemptions (Schedule C):	\$ <b>30,510.00</b>
Available Chapter 7:	\$ <b>0.00</b>

## D. Liquidation Summary (Total amount available under Chapter 7):

Net Equity (A and B) plus Other Assets (C) less all claimed exemptions: \$ **0.00**

## E. Additional Comments regarding Liquidation Analysis:

IX. SIGNATURES

Pursuant to the Chapter 13 rules, the debtor(s) or his or her counsel will serve a copy of the Plan upon the Chapter 13 Trustee, all creditors and interested parties, and file a Certificate of Service accordingly.

/s/ Herbert Weinberg 7/26/2017  
**Herbert Weinberg 550415** Date  
Debtor's Counsel  
Counsel's Address: **805 Turnpike Street**  
**North Andover, MA 01845**  
Tel# **(978) 683-2479** Fax: **(978) 682-3041** Email Address: **hweinberg@rhwlaw.com**

I/WE DECLARE UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING REPRESENTATIONS OF FACT ARE TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

Date 7/26/2017 Signature /s/ Michael Conwell  
**Michael Conwell**  
Debtor

Date 7/26/2017 Signature /s/ Carol Casey-Conwell  
**Carol Casey-Conwell**  
Joint Debtor